

## IN NAS LINUTÉD STATES PATENT AND TRADEMARK OFFICE

In re the Application of

BARTHOLOMEW, A.

Serial No: 09/710,654

Filed: Nov. 10, 2000

For: METHOD AND APPARATUS
FOR CREATING AND POSTING
MEDIA

MAR 0 4 2002

Technology Center 2100

## **INFORMATION DISCLOSURE STATEMENT**

BOX IDS Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.56 and § 1.98, Applicant hereby submits the following art in connection with the above-referenced patent application for METHOD AND APPARATUS FOR CREATING AND POSTING MEDIA.

U.S. Patent No.	<u>Inventor(s)</u>	<u>Issue Date</u>
5,629,867	Goldman	05/13/1997
5,809,246	Goldman	09/15/1998
5,616,876	Cluts	04/01/1997
5,864,868	Contois	01/26/1999
5,590,282	Clynes	12/31/1996
5,930,768	Hooban	07/27/1999

U.S. Patent No.	<u>Inventor(s)</u>	<u>Issue Date</u>
5,819,160	Foladare, et al.	10/06/1998
5,539,635	Larson, Jr.	07/23/1996
5,592,511	Schoen, et al.	01/17/1997
5,726,909	Krikorian	03/10/1998
5,913,204	Kelly	06/15/1999
5,237,157	Kaplan	08/17/1993
5,963,916	Kaplan	10/05/1999
5,675,734	Hair	10/07/1997
5,959,945	Kleiman	09/28/1999
5,841,979	Schulhof, et al.	11/24/1998
5,790,958	McCoy, et al.	08/04/1998
5,778,187	Monteiro, et al.	07/07/1998
5,983,005	Monteiro, et al.	11/09/1999
5,931,901	Wolfe, et al.	08/03/1999
5,737,527	Shiels, et al.	04/07/1998
5,931,906	Fidelibus, Jr., et al.	08/03/1999
5,956,716	Kenner, et al.	09/21/1999
5,832,223	Hara, et al.	11/03/1998
5,931,908	Gerba, et al.	08/03/1999
5,905,865	Palmer, et al.	05/18/1999
5,945,988	Williams, et al.	08/31/1999
5,977,964	Williams, et al.	11/02/1999
5,949,492	Mankovitz	09/07/1999

## Publications:

- Press and Online Coverage [online], [retrieved on 2/1/2000].
   Retrieved from the Internet: <URL:</li>
   http://www.scala.com/users/quotes.asap>.
- Discover Music Template [online], [retrieved on 1/20/2000].
   Retrieved from the Internet: <URL:</li>
   http://www.discovermusic.com>.
- 3. How Do I Create a Talk Program [online], [retrieved on 9/28/1999]. Retrieved from the Internet: <URL: http://www.givemetalk.com>.
- 4. Personal Video Webcasting [online], [retrieved on 2/6/2000]. Retrieved from the Internet: <URL: http://www.popcast.com>.
- Cyber Greetings and MessageBay to Offer Industry First Online Voice Greeting Cards [online], [retrieved on 10/10/1999].
   Retrieved from the Internet: <URL: http://www.messagebay.com/press/090799.htm>.
- Destiny internet radio broadcast network [online], [retrieved on 1/10/2000]. Retrieved from the Internet: <URL: http://www.radiodestiny.com/broadcast/index.shtml>.
- 7. JOSE ALVEAR, NextAudio Launches Radio Software Using Windows Media [online], [retrieved on 6/7/2000]. Retrieved from the Internet: <URL: http://www.streamingmedia.com:businesstechnology-content>.

- 8. Welcome to Activate.net [online], [retrieved on 6/7/2000].

  Retrieved from the Internet: <URL: http://www.activate.net>.
- 9. VoizLetter Pro [online], [retrieved on 9/19/00]. Retrieved from the Internet: <URL:

  <a href="http://www.mediaring.com/business/products/voizletterpro">http://www.mediaring.com/business/products/voizletterpro</a>.
- 10. PAUL GILSTER, Headline: Computers The Web Connection to your Phone, InternetSpeech.com [online], [retrieved on 10/5/2000]. Retrieved from the Internet: <URL: <a href="http://www.internetspeech.com/06-05-00.htm">http://www.internetspeech.com/06-05-00.htm</a>.
- 11. VoiceAge Corporation: Products Intro (Body), Products
  Introduction [online], [retrieved on 5/23/2001]. Retrieved from the
  Internet: <URL:</p>
  http://www.voiceage.com/products/prodbod.htm>.
- 12. Audio content creation by Speechradio.com Ltd, the Internet's leading audio content suppli.., Speechradio.com [online], [retrieved on 5/4/2001]. Retrieved from the Internet: <URL: http://www.positive-internet.com/~radio/>.
- 13. Radical Communication Radical Mail [online], [retrieved on 5/4/2001]. Retrieved from the Internet: <URL: <a href="http://www.radicalmail.com/ws/products\_mail.html">http://www.radicalmail.com/ws/products\_mail.html</a>.

- 14. Rich Streaming Media Software Tools from impatica.com.

  Interactive, Streaming Multime.. [online], [retrieved on 5/4/2001].

  Retrieved from the Internet: <URL:

  http://www.impatica.com/home.html>.
- 15. Audio production for web pages [online], [retrieved on 5/9/2001].
  Retrieved from the Internet: <URL:</p>
  http://www.noizeproduction.com/main.html>.
- 16. One Voice Technologies, Leading the Voice Revolution [online], [retrieved on 5/9/2001]. Retrieved from the Internet: <URL: http://www.onevoicetech.com>.
- 17. Tellme Networks, Tellme: the phone as it should be [online], [retrieved on 5/9/2001]. Retrieved from the Internet: <URL: http://www.tellme.com/>.
- 18. RadioAMP, The Power of Internet Audio [online], [retrieved on 5/9/2001]. Retrieved from the Internet: <URL: http://www.radioamp.com/home\_content.htm>.
- Castup, Unleashing the Power of IP Video™ [online], [retrieved on 5/9/2001]. Retrieved from the Internet: <URL: http://www.castup.net/corp/>.
- 20. Welcome to iHello, Speech-enabled applications for the mobile workforce [online], [retrieved on 5/9/2001]. Retrieved from the Internet: <URL: http://www.ihello.com/speech/bizsol.asp?>.

- 21. Inspar Home, Get your users creating streaming media with one button click! [online], [retrieved on 6/18/2001]. Retrieved from the Internet: <URL: http://www.inspar.com>.
- 22. About Telos, About Telos Systems [online], [retrieved on 5/18/2001]. Retrieved from the Internet: <URL: http://www.telos-systems.com/about/about.htm>.
- 23. VocaLoca Inc. Interactive Internet Broadcasting, providing true 2-way voice with the late.. [online], [retrieved on 5/18/2001].
  Retrieved from the Internet: <URL:</p>
  http://www.vocaloca.com/indexb1.asp>.
- 24. ViewCast Online | Why ViewCast Online? The Digital Infrastructure [online], [retrieved on 5/18/2001]. Retrieved from the Internet: <URL: <a href="http://www.viewcastonline.com/digitalinfrastructure.html">http://www.viewcastonline.com/digitalinfrastructure.html</a>>.
- 25. Message Bay, Create Your Own Personal Voice Greeting Card [online], [retrieved on 10/10/1999]. Retrieved from the Internet: <URL: <a href="http://www.messagebay.com/per1/mb\_up.p1">http://www.messagebay.com/per1/mb\_up.p1</a>.

Applicant requests that these references be included with the references cited in this patent application and that they be printed in any patent that may issue from this patent application.

Pursuant to 37 C.F.R. § 1.97(b)(3), no fee is required. The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to The Hecker Law Group, Deposit Account

No. 08-1520.

Respectfully submitted,

THE HECKER, LAW GROUP

Date: February 13, 2002

By:

Reg. No. 31,023

1925 Century Park East **Suite 2300** Los Angeles, CA 90067 (310) 286-0377

CERTIFICATE OF MAILING

This is to certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Box 1DS, Commissioner for Patents, Washington, D.C. 20231 on February 13, 2002.

Linda Carroll

February 13, 2002

Date

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-		5,629,8	367		Go	oldman	05/13/1	997		-
		5,809,2			Go	oldman	09/15/1	998		
		5,616,8			Cluts		04/01/1	997	<del></del>	
-		5,864,8		· ·	Contois		01/26/1	999		
		5,590,2	282		С	lynes	12/31/1	996		
		5,930,7	768		H	ooban	07/27/1	999		
		5,819,1	160	-	Folac	lare, et al.	10/06/1	998		
		5,539,6	335		Lai	rson, Jr.	07/23/1	996		
-		5,592,5	511		Scho	oen, et al.	01/17/1	997		
-2		5,726,9	909		Kr	ikorian	03/10/1	998		
		5,913,2	204			Kelly	06/15/1	999		
		5,237,1	157		K	aplan	08/17/1	993		
		5,963,9	916		K	aplan	10/05/1	999		
		5,675,7	734	_		Hair	10/07/1	997		
		5,959,9	945		K	leiman	09/28/1	999		
		5,841,9	79		Schu	lhof, et al.	11/24/1	998		

				FOREIGN	PATENT DOCU	MENTS		
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Examiner Initials	Cite No.'	Office <sup>3</sup>	Number	Kind Code <sup>5</sup> (If Known)	Name Of Patentee Or Applicant Of Cited Document	Date of Publication of Cited Document MM- DD-YYYY	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T°

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		5,790,9	58		McC	oy, et al.	08/04/1	998		
		5,778,1	87		Monte	eiro, et al.	07/07/1	998		]
		5,983,005		3,005		Monteiro, et al.		999		]
		5,931,9	01		Wol	Wolfe, et al.		999		]
		5,737,5	27		Shie	ls, et al.	04/07/1	998		]
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		5,931,9	_		Gerl	oa, et al.	08/03/1	999		]
		5,905,8			Paln	ner, et al.	05/18/1	999		1
		5,945,9			Willia	ms, et al.	08/31/1	999		1
		5,977,9				ms, et al.	11/02/1	999		1
		5,949,4				nkovitz	09/07/1	999		1

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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ¹ For Japanese patent documents, the indicating of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁵Applicant is to place a check mark here if English language Translation is attached.

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	`	Press and Online Coverage [online], [retrieved on 2/1/2000]. Retrieved from the Internet: <url: http:="" quotes.asap="" users="" www.scala.com="">.</url:>	
	\	Discover Music Template [online], [retrieved on 1/20/2000]. Retrieved from the Internet: <url: http:="" www.discovermusic.com="">.</url:>	
	)	How Do I Create a Talk Program [online], [retrieved on 9/28/1999].  Retrieved from the Internet: <url: http:="" www.givemetalk.com="">.</url:>	
	v	Personal Video Webcasting [online], [retrieved on 2/6/2000]. Retrieved from the Internet: <url: http:="" www.popcast.com="">.</url:>	
	(	Cyber Greetings and MessageBay to Offer Industry First Online Voice Greeting Cards [online], [retrieved on 10/10/1999]. Retrieved from the Internet: <url: 090799.htm="" http:="" press="" www.messagebay.com="">.</url:>	
	4	Destiny internet radio broadcast network [online], [retrieved on 1/10/2000]. Retrieved from the Internet: <url: broadcast="" http:="" index.shtml="" www.radiodestiny.com="">.</url:>	
	٠	JOSE ALVEAR, NextAudio Launches Radio Software Using Windows Media [online], [retrieved on 6/7/2000]. Retrieved from the Internet: <url: http:="" www.streamingmedia.com:business-technology-content="">.</url:>	
	)	Welcome to Activate.net [online], [retrieved on 6/7/2000]. Retrieved from the Internet: <url: http:="" www.activate.net="">.</url:>	
		VoizLetter Pro [online], [retrieved on 9/19/00]. Retrieved from the Internet: <url: <a="" href="http://www.mediaring.com/business/products/voizletterpro">http://www.mediaring.com/business/products/voizletterpro.</url:>	

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		Phone, In	nternetS	peech.com	Computers – The Web Co [online], [retrieved on 10 ttp://www.internetspeech	onnection to your 0/5/2000]. Retrieved		7
	VoiceAge Corporation: Products Intro (Body), Products Introduction [online], [retrieved on 5/23/2001]. Retrieved from the Internet: <url: http:="" prodbod.htm="" products="" www.voiceage.com="">.</url:>							
	Audio content creation by Speechradio.com Ltd, the Internet's leading audio content suppli, Speechradio.com [online], [retrieved on 5/4/2001]. Retrieved from the Internet: <url: http:="" www.positive-internet.com="" ~radio=""></url:> .							
	Radical Communication – Radical Mail [online], [retrieved on 5/4/2001].  Retrieved from the Internet: <url: http:="" products_mail.html="" ws="" www.radicalmail.com="">.</url:>							
		Streaming	g Multim	ne [online],	vare Tools from impatica., [retrieved on 5/4/2001]impatica.com/home.htm	Retrieved from the		
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		RadioAMP, The Power of Internet Audio [online], [retrieved on 5/9/2001]. Retrieved from the Internet: <url: home_content.htm="" http:="" www.radioamp.com="">.</url:>	
		Castup, Unleashing the Power of IP Video™ [online], [retrieved on 5/9/2001]. Retrieved from the Internet: <url: corp="" http:="" www.castup.net=""></url:> .	
		Welcome to iHello, Speech-enabled applications for the mobile workforce [online], [retrieved on 5/9/2001]. Retrieved from the Internet: <url: bizsol.asp?="" http:="" speech="" www.ihello.com="">.</url:>	
		Inspar – Home, Get your users creating streaming media with one button click! [online], [retrieved on 6/18/2001]. Retrieved from the Internet: <url: http:="" www.inspar.com="">.</url:>	
		About Telos, About Telos Systems [online], [retrieved on 5/18/2001]. Retrieved from the Internet: <url: about="" about.htm="" http:="" www.telos-systems.com="">.</url:>	
		VocaLoca Inc. – Interactive Internet Broadcasting, providing true 2-way voice with the late [online], [retrieved on 5/18/2001]. Retrieved from the Internet: <url: http:="" indexb1.asp="" www.vocaloca.com="">.</url:>	
		ViewCast Online   Why ViewCast Online? The Digital Infrastructure [online], [retrieved on 5/18/2001]. Retrieved from the Internet: <url: digitalinfrastructure.html="" http:="" www.viewcastonline.com="">.</url:>	
		Message Bay, Create Your Own Personal Voice Greeting Card [online], [retrieved on 10/10/1999]. Retrieved from the Internet: <url: <a="" href="http://www.messagebay.com/per1/mb_up.p1">http://www.messagebay.com/per1/mb_up.p1.</url:>	

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